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March 20, 2013

VIA ECF AND FEDERAL EXPRESS

The Honorable Leonard D. Wexler
United States District Judge
United States District Court for the
Eastern District of New York
944 Federal Plaza
Central Islip, New York 11722

RE: Lawrence I. Friedmann v. Raymour Furniture Co., Inc., et al.
12 Civ. 1307 (LDW)(AKT)

Dear Judge Wexler:

As you know, this firm represents defendant Raymour Furniture Company, Inc., d/b/a Raymour & Flanigan Furniture (“Defendant”) in connection with the above-referenced matter.

On March 11, 2013, Defendant submitted a letter requesting a pre-motion conference in this matter or for permission to file a motion for summary judgment to dismiss plaintiff Lawrence Friedmann’s Complaint on the ground that his claims are time-barred and fail to state a cause of action. (See Docket Entry No. 43). Pursuant to Your Honor’s Individual Practice Rule 2(B), Plaintiff had seven days – until Monday, March 18, 2013 – to file and serve a letter response. To date, Plaintiff has not filed and served a response to Defendant’s letter, nor has he requested additional time to do so.

Since Plaintiff has not put forth any opposition to the submission of Defendant’s summary judgment motion, Defendant respectfully requests that Your Honor “So Order” the following briefing schedule for its anticipated motion to dismiss:

- Defendant will file its motion for summary judgment by May 3, 2013;
- Plaintiff will file his opposition papers by May 31, 2013; and
- Defendant will file its reply papers by June 14, 2013.

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Should Your Honor require any additional information, please do not hesitate to contact us. Thank you in advance for your attention to this matter.

Respectfully submitted,

/S/

Tara Eyer Daub
Jessica Chiclacos

cc: Walker G. Harman, Jr., Esq. (via ECF)